

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yutaka YAMAGATA et al.

Attn: PCT Branch

Application No.: 09/980,099

Docket No.: 111226

Filed: April 18, 2002

For: DEVICE FOR MANUFACTURING MICROARRAYS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US) WITH DECLARATION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

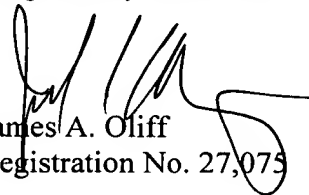
In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on January 23, 2002, submitted herewith is the executed Declaration of the inventors. Any specification attached to and referenced in the Declaration is a copy of the specification and any amendments thereto which were filed in the Office in order to obtain a filing date for the application.

Attached is our Check No. 129908 for ☒\$130.00 ☐\$65.00 (entitlement to small entity status is asserted) for the fee under 37 C.F.R. §1.492(e).

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notification of Missing Requirements. Accordingly, prompt issuance of a Notification of Acceptance and Official Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

04/23/2002 UEDUVIJE 00000080 09980099

01 FC:154

130.00 0P

JAO:JSA/mlb

Date: April 18, 2002

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION

Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461

(1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE
UNITED STATES
DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING
UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER
111226

U.S. APPLICATION NO.
(if known, sec 37 C.F.R.1.5)
09/980,099

INTERNATIONAL APPLICATION NO.
PCT/JP01/02868

INTERNATIONAL FILING DATE
April 2, 2001

PRIORITY DATE CLAIMED
April 3, 2000

TITLE OF INVENTION
DEVICE FOR MANUFACTURING MICROARRAYS

APPLICANTS FOR DO/EO/US
Yutaka YAMAGATA et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ Entitlement to small entity status is hereby asserted.
16. ☒ Other items or information: 1) Response to Notification of Missing Requirements

2) Petition for Extension of Time

| | | |
|---|--|---------------------------------|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 09/980,099 | INTERNATIONAL APPLICATION NO. PCT/JP01/02868 | ATTORNEY'S DOCKET NUMBER 111226 |
|---|--|---------------------------------|

| 17. <input type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$890.00 International preliminary examination fee paid to USPTO (37 CFR1.482)\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | CALCULATIONS | PTO USE ONLY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------------|---------------------|--------------|-----------------------|----|--|--------------|--------|---|------------|----|--|--------------------|-------|---|------------|----|--|--|--|--|------------|----|--|--------------------------------------|--|--|--|----|--|---|--|--|--|---|----|-------------------|--|--|--|----------|--|---|--|--|--|----|--|-----------------------------|--|--|--|----------|--|--|--|--|--|-----------------------|----|--|--|--|--|---------|----|--|--|
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:10%;">Number Extra</th> <th style="width:10%;">Rate</th> <th style="width:10%;"></th> <th style="width:10%;"></th> </tr> <tr> <td>Total Claims</td> <td>- 20 =</td> <td>0</td> <td>X \$ 18.00</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>- 3 =</td> <td>0</td> <td>X \$ 84.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claim(s)(if applicable)</td> <td>+ \$280.00</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable.</td> <td>-</td> <td>\$</td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$130.00</td> <td></td> </tr> <tr> <td colspan="4" style="vertical-align: top;"> Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)). </td> <td style="vertical-align: top;">\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$130.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Amount to be refunded</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right;">Charged</td> <td>\$</td> </tr> </table> | Claims | Number Filed | Number Extra | Rate | | | Total Claims | - 20 = | 0 | X \$ 18.00 | \$ | | Independent Claims | - 3 = | 0 | X \$ 84.00 | \$ | | Multiple dependent claim(s)(if applicable) | | | + \$280.00 | \$ | | TOTAL OF ABOVE CALCULATIONS = | | | | \$ | | Reduction by 1/2 for filing by small entity, if applicable. | | | | - | \$ | SUBTOTAL = | | | | \$130.00 | | Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | | TOTAL NATIONAL FEE = | | | | \$130.00 | | | | | | Amount to be refunded | \$ | | | | | Charged | \$ | | |
| Claims | Number Filed | Number Extra | Rate | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Claims | - 20 = | 0 | X \$ 18.00 | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent Claims | - 3 = | 0 | X \$ 84.00 | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple dependent claim(s)(if applicable) | | | + \$280.00 | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Reduction by 1/2 for filing by small entity, if applicable. | | | | - | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | | | | \$130.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | | | | \$130.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Amount to be refunded | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Charged | \$ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | |
|----|-------------------------------------|---|
| a. | <input checked="" type="checkbox"/> | Check No. <u>129908</u> in the amount of <u>\$130.00</u> to cover the above fees is enclosed. |
| b. | <input type="checkbox"/> | Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. |
| c. | <input checked="" type="checkbox"/> | The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed. |

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
 OLIFF & BERRIDGE, PLC
 P.O. Box 19928
 Alexandria, Virginia 22320

Date: April 18, 2002

NAME: James A. Oliff
 REGISTRATION NUMBER: 27,075

 NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430

| | | |
|---|--|---------------------------------|
| U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 09/980,099 | INTERNATIONAL APPLICATION NO. PCT/JP01/02868 | ATTORNEY'S DOCKET NUMBER 111226 |
|---|--|---------------------------------|

| 17. <input type="checkbox"/> The following fees are submitted: Basic National fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO\$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482)\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | CALCULATIONS | PTO USE ONLY | | | | | | | | | | | | | | | | |
|---|-----------------------|---------------------|--------------|------|--------------|--------|---|------------|--------------------|-------|---|------------|--|--|--|------------|--|--|
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | \$130.00 | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:10%;">Number Extra</th> <th style="width:10%;">Rate</th> </tr> <tr> <td>Total Claims</td> <td style="text-align: center;">- 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">X \$ 18.00</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">- 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">X \$ 84.00</td> </tr> <tr> <td colspan="3">Multiple dependent claim(s)(if applicable)</td> <td style="text-align: center;">+ \$280.00</td> </tr> </table> | Claims | Number Filed | Number Extra | Rate | Total Claims | - 20 = | 0 | X \$ 18.00 | Independent Claims | - 3 = | 0 | X \$ 84.00 | Multiple dependent claim(s)(if applicable) | | | + \$280.00 | | |
| Claims | Number Filed | Number Extra | Rate | | | | | | | | | | | | | | | |
| Total Claims | - 20 = | 0 | X \$ 18.00 | | | | | | | | | | | | | | | |
| Independent Claims | - 3 = | 0 | X \$ 84.00 | | | | | | | | | | | | | | | |
| Multiple dependent claim(s)(if applicable) | | | + \$280.00 | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | \$ | | | | | | | | | | | | | | | | | |
| Reduction by 1/2 for filing by small entity, if applicable. | - \$ | | | | | | | | | | | | | | | | | |
| SUBTOTAL = | \$130.00 | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)). | \$ | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = | \$130.00 | | | | | | | | | | | | | | | | | |
| | Amount to be refunded | \$ | | | | | | | | | | | | | | | | |
| | Charged | \$ | | | | | | | | | | | | | | | | |

| | |
|--|--|
| a. <input checked="" type="checkbox"/> Check No. <u>129908</u> in the amount of <u>\$130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. <u>15-0461</u> . A duplicate copy of this sheet is enclosed. | <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, Virginia 22320</p> <p>Date: <u>April 18, 2002</u></p> |
|--|--|

NAME: James A. Oliff
 REGISTRATION NUMBER: 27,075

 NAME: Joel S. Armstrong
 REGISTRATION NUMBER: 36,430